

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

(1) ANDREW CHABALLA, as
Next of Kin of LAVERNE SOMERS,
Deceased, and ANDREW
CHABALLA as Administrator of the
Estate of LAVERNE SOMERS

Plaintiffs,
v.

(1) SP HEALTHCARE
MANAGEMENT LLC

(2) MIDWEST GERIATRIC
MANAGEMENT, LLC

(3) JUDAH BIENSTOCK

Defendants.

Case No. 5:22-cv-00772-F

PLAINTIFFS' FED. R. CIV. P. 26(A)(2) DISCLOSURE OF EXPERT WITNESSES

COMES NOW Plaintiffs, and in accordance with Fed. R. Civ. P. 26(a)(2) submits the following disclosure of expert witnesses.

Fed. R. Civ. P. 26(a)(2)(b) Retained Expert Witness:

1. John Kirby, M.D.
1210 Brace Road, Suite 102
Cherry Hill, NJ 08034

Dr. Kirby is expected to testify as to all aspects of negligence, causation, damages as set forth in his report attached hereto as Exhibit A, and fully incorporated herein by reference. Dr. Kirby is expected to testify that all his opinions are held to a reasonable degree of medical probability and are based on his education, training and experience, review and knowledge of the applicable medical records and other documents identified in his report. Dr. Kirby's curriculum vitae and testimony history are included with Exhibit A.

2. **Suzanne Frederick, MSN, RN-BC, CWCN**
260 Settlers Creek Trail
Waco, Texas 76712

Suzanne Frederick is expected to testify as to all aspects of nursing standard of care and nursing home administration (and any deviations) as set forth in her report attached hereto as Exhibit B. Plaintiffs have requested 7 (seven) additional days to provide Suzanne Frederick's report due to an unforeseen illness. Suzanne Frederick is expected to testify that all of her opinions are held to a reasonable degree of nursing probability and are based on her education, training and experience, review and knowledge of the applicable medical records and other documents identified in her report.

Fed. R. Civ. P. 26(a)(2)(c) Non-Retained Expert Witnesses

1. Edana Stroberg

Associate Medical Examiner (Forensic Pathologist) at Oklahoma Medical Examiner's Office
921 23rd Street, Oklahoma City, OK 73105

It is anticipated Dr. Stroberg will testify regarding Lavern Somers's cause of death consistent with the findings on the death certificate she signed, attached as Exhibit B. It is anticipated Dr. Stroberg will provide her testimony based on her education, training, and experience.

Respectfully submitted,

/s/ Ryan J. Fulda

Ryan J. Fulda
OK Bar Number: 21184
Fulda Law, PLLC
1800 South Baltimore Avenue, Suite 420
Tulsa, Oklahoma 74119
Phone & Fax: (918) 550-8109
rfulda@fuldalaw.com

/s/Jonathan Steele

Jonathan Steele, KS #24852
STEELE LAW FIRM II LLC
2345 Grand Boulevard, Suite 750
Kansas City, MO 64108
Phone: (816) 466-5947
Attorney for Plaintiff